

STATE OF MICHIGAN
COURT OF APPEALS

In the Matter of A.J., Minor.

DEPARTMENT OF HUMAN SERVICES,

Petitioner-Appellee,

v

CANDACE JACKSON,

Respondent-Appellant,

and

JERRY TOLBERT, a/k/a JERRY TROVAT,

Respondent.

UNPUBLISHED

May 1, 2007

No. 273336

Wayne Circuit Court

Family Division

LC No. 01-400726-NA

Before: Cavanagh, P.J., and Jansen and Borrello, JJ.

MEMORANDUM.

Respondent mother appeals as of right from the trial court order terminating her parental rights under MCL 712A.19b(3)(c)(i), (g), (i), and (j). We affirm.

Respondent mother argues that the trial court prematurely terminated her parental rights where petitioner did not prove by clear and convincing evidence that it made reasonable efforts to reunify her with her daughter. There is no evidence in this matter that petitioner failed to make reasonable efforts where petitioner provided parenting classes and supervised visitation in which the foster care worker offered parenting advice, housing assistance, psychological evaluations and referrals to therapy, and bus passes for transportation to these services. Respondent mother did not attend therapy, did not benefit from the parenting classes, and did not obtain suitable housing through no fault of petitioner. Therefore, the trial court did not clearly err in finding that petitioner made reasonable efforts to reunify respondent mother and her daughter.

Further, although respondent mother does not directly address the sufficiency of the evidence for termination, her argument regarding petitioner's efforts toward reunification relates to the issue of sufficiency. *In re Fried*, 266 Mich App 535, 541; 702 NW2d 192 (2005). The

trial court did not clearly err in finding that the statutory grounds for termination were established by clear and convincing evidence. MCR 3.977(J). Respondent mother did not contest that her parental rights to two older children were terminated due to serious and chronic neglect or that there was a prior attempt to rehabilitate her that was unsuccessful. Further, respondent mother still did not have suitable housing at the termination hearing because she lived with someone with a protective services history. Respondent mother, who had a history of mental illness, had not attended therapy since December 2005. She became easily frustrated with Arieanna and did not know how to handle the child when she became upset. Respondent mother's psychological evaluations found her to be impulsive and to engage in high risk behavior and questioned whether she could independently care for herself, let alone a two-year-old. Because respondent mother made no progress in these areas during the nearly two years this case was pending, the trial court did not clearly err in finding that these statutory grounds had been established.

Finally, our review of the lower court record reveals that the trial court did not clearly err in its best interests determination. MCL 712A.19b(5); MCR 3.977(J).

Affirmed.

/s/ Mark J. Cavanagh
/s/ Kathleen Jansen
/s/ Stephen L. Borrello